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7/22/03

PATENT

Customer No. 22,852

Attorney Docket No. 08702.0086-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Manas Kumar MAJUMDAR et al.

Application No.: 10/078,808

Filed: February 19, 2002

For: CHONDROGENIC POTENTIAL OF
HUMAN BONE MARROW-DERIVED
CD105⁺ CELLS BY BMP

)
)
) Group Art Unit: 1646

)
) Examiner: J.L. Andres
)
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUL - 7 2003

TECH CENTER 1600/2900

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a Restriction Requirement dated June 4, 2003, the Examiner required restriction under 35 U.S.C. § 121 between Group I (Claims 1, 5, 9-10, 13-20 and 28-31) drawn to compositions of BMPs and cells, and Group II (Claims 2-4, 6-8, 11-12 and 21-27) drawn to methods of treatment using BMP's and cells. Applicants elect to prosecute Group II, Claims 2-4, 6-8, 11-12 and 21-27, drawn to methods of treatment using BMP's and cells.

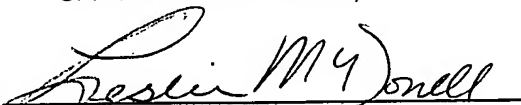
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 3, 2003

By:


Leslie A. McDonnell
Reg. No. 34,872

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